

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DEAN PHILIP HARRIS,

Plaintiff,

v.

ORDER

DR. VARGO, HARDY MYERS, MD
STEVE SHELTON, DR. GARTH
GULLICK, JEAN HILL, JOHN and JANE
DOES,

Civil No. 07-1654-ST

Defendants.

HAGGERTY, Chief Judge:

Magistrate Judge Stewart referred to this court a Findings and Recommendation [28] in this action. The Findings and Recommendation recommends that defendants' Motion to Dismiss [19] be denied.

The matter is now before this court pursuant to 28 U.S.C. § 636(b)(1)(B). *See also* Fed. R. Civ. P. 72(b). When no timely objection is filed, the court need only satisfy itself that there is

no clear error on the face of the record in order to accept the recommendation of the Magistrate.
Campbell v. U.S. Dist. Court, 501 F.2d 196, 206 (9th Cir. 1974).

This court has examined the pending motion and the underlying record. No clear error appears on the face of the record. The Findings and Recommendation is, therefore, adopted. Accordingly, defendants' Motion to Dismiss [19] is DENIED, as described in the Findings and Recommendation.

IT IS SO ORDERED.

DATED this 3 day of November, 2008.

/s/ Ancer L. Haggerty
Ancer L. Haggerty
United States District Judge